



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

June 25, 2021

Ms. Liesel Gross, CEO
Lehigh County Authority
P.O. Box 3348
Allentown, PA 18106-0348

Ms. Sharon Trexler, Manager
Borough of Alburtis
P. O. Box 435
Alburtis, PA 18011

Mr. Michael Hanlon, City Clerk
City of Allentown
435 Hamilton Street
Allentown, PA 18101

Ms. Kimberly Bachman, Secretary
Borough of Coplay
98 South Fourth Street
Coplay, PA 18037

Mr. Shane Pepe, Manager
Borough of Emmaus
28 South Fourth Street
Emmaus, PA 18062

Ms. Melissa Wehr, Manager
Hanover Township
2202 Grove Road
Allentown, PA 18109

Mr. Bruce Beitel, Manager
Lower Macungie Township
3400 Brookside Road
Macungie, PA 18062

Mr. Brian Carl, Manager
Lowhill Township
3056 Masters Hill Road
Fogelsville, PA 18051

Mr. Robert Glisson, Manager
Borough of Macungie
21 Locust Street
Macungie, PA 18062

Mr. Chris Garges, Manager
North Whitehall Township
3256 Levans Road
Coplay, PA 18037

Ms. Cathy Bonaskiewich,
Manager
Salisbury Township
2900 South Pike Avenue
Allentown, PA 18103

Ms. Renee Bickel, Manager
South Whitehall Township
4444 Walbert Avenue
Allentown, PA 18104

Mr. Robert Ibach, Manager
Upper Macungie Township
8330 Schantz Road
Breinigsville, PA 18031

Mr. Edward Carter, Manager
Upper Milford Township
P.O. Box 210
Old Zionsville, PA 18068

Mr. Brian Carl, Administrator
Weisenberg Township
2410 Apple Road
Fogelsville, PA 18051

Mr. Michael Harakal Jr., Mayor
Whitehall Township
3219 Macarthur Road
Whitehall, PA 18052

Re: Approval Letter – Update Revision
Act 537 Planning/Municipal Wasteload Management
Borough of Alburtis, City of Allentown, Borough of Coplay, Borough of Emmaus, Hanover
Township, Lower Macungie Township, Lowhill Township, Borough of Macungie, North
Whitehall Township, Salisbury Township, South Whitehall Township, Upper Macungie
Township, Upper Milford Township, Weisenberg Township, Whitehall Township, Lehigh
County

Ladies and Gentlemen:

The Department of Environmental Protection (DEP) has reviewed the proposed Official Plan Update
Revision (Plan) received on September 8, 2020, with additional information received on September 15,
2020, October 1, 2020, April 15, 2021, April 20, 2021, May 18, 2021 and June 22, 2021, as prepared by

Arro Consulting Inc., and entitled, Kline's Island Sewer System Interim Act 537 Plan. The submission is consistent with the planning requirements in Chapter 71 of DEP's regulations. The Plan's selected alternative provides for a Corrective Action Plan (CAP) to address a hydraulic overload of the Kline's Island Wastewater Treatment Facility (KIWWTF) and other portions of the existing conveyance system located upstream of the KIWWTF as identified in the Plan. The Plan calls for the implementation of several actions that will facilitate the eventual elimination of the hydraulic overload at the KIWWTF and in portions of the conveyance system upstream of the KIWWTF. These actions are summarized on Page PS2 of the Plan. These actions include a re-rate of the KIWWTF hydraulic design capacity from 40.0 MGD to 44.6 MGD. The annual average flow of 40.0 MGD used to determine the KIWWTF's NPDES treated effluent discharge parameters will remain in place.

The re-rate of the KIWWTF's hydraulic design capacity from 40.0 MGD to 44.6 MGD will require a Water Quality Management (Part II) Permit. The permit application must be submitted in the name of the municipality or authority, as appropriate. Issuance of a Part II permit will be based upon a technical evaluation of the permit application and supporting documentation.

This Plan's selected alternative and its tasks will also serve as the CAP, related to DEP's Municipal Wasteload Management regulations found at 25 Pa. Code Ch. 94, for the existing collection, conveyance and treatment systems and their sewer service areas associated with the KIWWTF. The CAP provides for a Connection Management Plan (CMP) throughout the entire sewer service area that is tributary to the KIWWTF. In conjunction with the CMP, proposed as part of the CAP, the Department hereby grants an additional sewer connection allocation of 3.117129 MGD. This allocation is in addition to the 0.593910 MGD allocation remaining (as of June 25, 2021) from that originally issued by DEP on January 17, 2020 for use within the KIWWTF's sewer service area. This allocation shall be administered and disbursed by the Authority for sewage planning (under the Pennsylvania Sewage Facilities Act - Act 537) and municipal wasteload management purposes in all municipalities' and authorities' sewer service areas whose wastewater collection and conveyance systems are tributary to the KIWWTF. In accordance with Section 94.21.b of the Department's Regulations, this allocation modifies the sewer connection prohibition currently in place within the entire KIWWTF service area but does not lift it. All sewer connection requests from individuals or other entities must be made, in writing, to the Authority. Subsequently, all allocation awards to individuals or other entities, from the Authority, must be made in writing by an authorized Authority official(s).

To properly track the additional 3.117129 MGD sewer connection allocation, the Department is enclosing a Quarterly Status Report of Sewage Allocation Form (Report). This Report must be completed by the Authority and submitted to the Department's Northeast Regional Office within 14 calendar days after the end of each calendar year quarter. All connections/gallage granted from this and any future sewer connection allocation(s) must be reported to the Department on this Report form. A Report must be submitted, to the Department, even if no allocation is granted by the Authority during a particular calendar year quarter.

Failure to provide the Department with accurate and timely Quarterly Reports, proper wastewater planning documents for Official Sewage Facilities Plan Revisions (a municipality responsibility as required by the Pennsylvania Sewage Facilities Act-Act 537 and the Department's Regulations), when appropriate, for land development or failure to comply with the activities outlined in the Plan/CAP may result in revocation of part or all of the sewer connection allocation. A copy of the Authority's letter granting any entity a sewer connection from the Authority's sewer connection allocation must accompany any wastewater planning documents submitted to the tributary municipalities or the Department for review. The respective collection system owner and municipality in which the affected

property is located shall also receive a copy of all allocations/gallonage granted, via written correspondence, from the Authority.

In addition to the above, the Department is requesting submittal of written progress reports to the Department on a quarterly basis. The reports are due on or before the fifteenth (15th) day of the month following the end of the calendar quarter. The first progress report is due on or before July 15, 2021.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

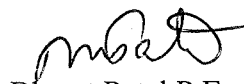
A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

If you have any questions, please contact Mr. Scott Novatnak at 570.826.2337.

Sincerely,



Bharat Patel P.E.
Environmental Program Manager
Clean Water Program

- cc: Mr. Michael Schober, P.E./Arro Consulting, Inc. (w/Enclosure)
Mr. Craig Messinger, Director of Public Works/City of Allentown (w/Enclosure)
Mr. David Harleman, Manager/Coplay Whitehall Sewer Authority (w/Enclosure)
Ms. Sharon Trexler, Secretary/Alburtis Borough Planning Commission (w/Enclosure)
Mr. Richard Button, Secretary/City of Allentown Planning Commission (w/Enclosure)
Mr. Charles Sodl, Chairman/Coplay Borough Planning Commission (w/Enclosure)
Mr. Shane Pepe, Secretary/Emmaus Borough Planning Commission (w/Enclosure)
Ms. Michelle Bean, Secretary/Hanover Township Planning Commission (w/Enclosure)
Mr. Al Perez, Secretary/Lower Macungie Township Planning Commission (w/Enclosure)
Ms. Phyllis Lafollette, Secretary/Lowhill Township Planning Commission (w/Enclosure)
Ms. Selma Ritter, Secretary/Macungie Borough Planning Commission (w/Enclosure)
Ms. Jane Kelly, Secretary/North Whitehall Township Planning Commission (w/Enclosure)
Mr. Glenn Miller, Secretary/Salisbury Township Planning Commission (w/Enclosure)
Mr. Alan Tope, Secretary/South Whitehall Township Planning Commission (w/Enclosure)
Ms. Makala Ashmar, Secretary/Upper Macungie Township Planning Commission
(w/Enclosure)
Mr. Luke Lichtenwalner, Secretary/Upper Milford Township Planning Commission
(w/Enclosure)
Mr. Michael Levitsky, Secretary/Weisenberg Township Planning Commission (w/Enclosure)
Mr. Paul Geissinger, Secretary/Whitehall Township Planning Commission (w/Enclosure)
Ms. Becky Bradley, Executive Director/Lehigh Valley Planning Commission (w/Enclosure)

